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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,101	07/13/2000	David W. Sherrer	ACT-120	4072

7590

11/22/2002

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EXAMINER

ABRAMS, NEIL

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 11/22/2002

For Mr Baskin
SN 09/615101

Please find below and/or attached an Office communication concerning this application or proceeding.

Faxed 7-6-03

Office Action Summary

Application No.

09/675101

Applicant(s)

Examiner

N. Abrams

Group Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 9-10-02
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-41 is/are pending in the application.
- ☐ Of the above claim(s) is/are withdrawn from consideration.
- ☐ Claim(s) is/are allowed.
- ☒ Claim(s) 1-41 is/are rejected.
- ☐ Claim(s) is/are objected to.
- ☐ Claim(s) are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Art Unit: 2839

Claim 1, line 5, should "notch" be --notches--?

Claims 20-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20, lines 8, 9 "etched from" seems unclear, and implies that the sticks are etched to separate them from the wafer.

Claims 1-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leaman in view of Byrum, Jiang, Mansour, Chande, Boudreau, Benzoni, Basavanhally, Miller and Kato.

See last office action. Basically, it would have been obvious to form the Leaman sticks by etching holes in a wafer and then cleaving (dicing) the wafer in view of Boudreau, figs. 10, 11 and Kato, figs. 9B, C, D, E. Reference to dry etching relates to use of well known hole cutting procedure and further is suggested by Jiang, column 3, lines 25-35. Other references are applied in a supplementary manner and/or to show dependent claim features that do not appear to be at issue.

Claims 20-36 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kato alone or taken in view of Chande.

See last office action.

Claims 1-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller in view of Byrum, Kato, Boudreau and Chande.

See last office action.


Art Unit: 2839

Applicant's arguments filed with the amendment have been fully considered but they are not persuasive. Boudreau sticks 101, 110 and fig. 10, would have notches that are directionally etched. Formation of the openings, 501, etc. by laser (dry etching) would have been obvious since such use is well known. It would have been obvious to form the Leaman or Miller sticks from a large wafer by the steps taught by Boudreau. This would result in lower production costs per unit. Note that if the Boudreau sticks were formed to be used in pairs to clamp wires they would basically meet claim limitations. For claim 20, the Kato surfaces are readable as cleaved, the term defining no "structural" differences over the Kato surfaces.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to N. Abrams at telephone number (703) 308-1729.


N. ABRAMS
EXAMINER
ART UNIT 322